

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

NORMA BAKER, MARY KUNZ,	§	
MARK NOBLE, and DORBETT BAGOR	§	
Plaintiffs	§	
v.	§	
	§	CIVIL ACTION NO. A08-CA-197-LY
CAPITAL METROPOLITAN	§	
TRANSPORTATION AUTHORITY	§	
Defendant	§	

ADVISORY TO THE COURT

Plaintiffs file this Advisory to the Court to alert the Court of a modification to Plaintiffs' Stipulation of Facts. The Stipulation of Facts was submitted on June 4, 2008 with Plaintiffs' Brief of the Merits. Plaintiff included in their Stipulation of Facts a section of testimony attributed to Defendant Capital Metropolitan Transportation Authority. *See* Stipulation of Facts 1-12.

Defendant has notified Plaintiffs that it wishes for Plaintiff to change the language of Facts Nos. 8 and 9. Thus, Plaintiffs request this Court exclude Facts Nos. 8 and 9 altogether from Plaintiffs' Stipulation of Facts. Plaintiff does not refer to either of these Facts in its Brief on the Merits, thus no further changes to Plaintiffs' submitted documents are needed.

Dated: June 16, 2008

Respectfully submitted,

/s/ Peter J. Barton
Peter (Jody) Barton
State Bar No. 24036196
James C. Harrington
State Bar No. 09048500

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CERTIFICATE OF SERVICE

I certify that on June 16, 2008, a true copy of this document was sent via the Court's Electronic Case Filing system, to C. Robert Heath, Bickerstaff, Heath, Delgado, Acosta, L.L.P., 816 Congress Ave. Ste., Austin, Texas 78701.

/s/ Peter J. Barton
Peter (Jody) Barton